

REMARKS

Claims 1-3 and 7-13 are pending in this application. By this Amendment, claim 1 is amended. Support for the amendments to claim 1 can be found, for example, in Fig. 1 of the application. No new matter is added. A Request for Continued Examination is attached. Reconsideration of this application in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 9 and 12 under 35 U.S.C. §112, first paragraph. The rejection is obviated by the amendments made to claims 9 and 12 in the May 20, 2010 Amendment After Final Rejection, which amendments are indicated as having been entered in the Advisory Action mailed June 4, 2010.¹ Accordingly, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claims 1-3, 8, 10, 11 and 13 under 35 U.S.C. §103(a) over JP-A-2002-352837 to Kazuo. The rejection is respectfully traversed.

Kazuo would not have rendered obvious a fuel cell system having a fuel gas pump for circulating the fuel gas in a circulation route, wherein the circulation route is connected to the fuel gas supply line at a connection point that is positioned between the fuel gas supply source and the pressure-regulating means such that the fuel gas is returned to the fuel gas supply line upstream of the pressure-regulating means and there is no pressure-regulating means on the fuel gas supply line upstream of the connection point, as recited in independent claim 1.

Kazuo discloses a fuel gas circulating flow way L2 that is connected to a fuel gas feeder current way L1 at a position located between a fuel gas feeder 2 and circulation control valve 31 (see Fig. 8). The Office Action asserts that the fuel gas circulating flow way L2, the fuel gas feeder current way L1 and the fuel gas feeder 2 of Kazuo correspond to the claimed

¹ The claims in the Amendment are as they were amended in the May 20, 2010 Amendment based on the indication that the claim amendments are entered.

circulation route, fuel gas supply source and pressure-regulating means, respectively.

However, as seen in Fig. 8, Kazuo discloses that a supply pressure limiting valve 3 is positioned upstream of the connection point of the fuel gas circulating flow way L2 to the fuel gas feeder current way L1. Therefore, Kazuo does not disclose that there is not a pressure-regulating means positioned upstream of the connection point. Modifying Kazuo to remove the supply pressure limiting valve 3 would change the principle of operation of Kazuo and frustrate its purpose of supplying a prescribed pressure to the fuel stack 1. Accordingly, Kazuo would not have rendered obvious the features of independent claim 1.

Therefore, independent claim 1 is patentable over Kazuo. Dependent claims 2, 3, 8, 10, 11 and 13 depend from independent claim 1 and are also patentable over Kazuo for at least this reason, as well as for the additional features that these claims recite. Accordingly, it is respectfully requested that the rejection be withdrawn.

The Office Action rejects claims 7 and 8 under 35 U.S.C. §103(a) over Kazuo in view of DE 10331261 to Morishima et al. (Morishima) (equivalent to U.S. Patent No. 7,105,423); and rejects claims 9 and 12 under 35 U.S.C. §103(a) over Kazuo in view of U.S. Patent Application Publication No. 2003/0012991 A1 to Muehlherr et al. (Muehlherr). The rejections are respectfully traversed.

Claims 7-9 and 12 incorporate the features of independent claim 1. Because Morishima and Muehlherr fail to overcome the deficiencies of Kazuo as applied to claim 1, these claims also are patentable over the applied references for at least the above reasons, as well as for the additional features that these claims recite. Thus, it is respectfully requested that the rejections be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-3 and 7-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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JAO:JTL/hs

Attachments:

Request for Continued Examination
Petition for Extension of Time

Date: June 18, 2010

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